

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 12-2039 (GAG)

COMMONWEALTH OF PUERTO RICO
AND ITS POLICE DEPARTMENT ,

Defendants.

ORDER

The court in reviewing the complaint, notes that at paragraph 10 the United States of America states that “Defendant Commonwealth of Puerto Rico is the government of Puerto Rico.” It further states that “[Puerto Rico] is an **unincorporated territory** of the United States.”

The United States, on or before January 18, 2013 shall file with this court a statement supporting the latter allegation with legal authority, or, in the alternative voluntarily withdraw the same¹. This order, should not be interpreted in any way as suggesting how the court will rule on the merits of this Section 14141 action.

SO ORDERED.

In San Juan, Puerto Rico this 3rd day of January 2013.

s/Gustavo A. Gelpí

GUSTAVO A. GELPI
United States District Judge

¹This statement that Puerto Rico is an unincorporated territory is at odds with that of our President’s Task Force Report on Puerto Rico’s status of March 11, 2011 which at page 19 reads: “The Supreme Court’s Insular Cases interpreted the U.S. Constitution and Federal law on a number of questions related to Puerto Rico. Those decisions...in any event, do not address the development of the relationship of Puerto Rico with the United States.”